

## UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

FILED  
HARRISBURG, PA

APR - 1 2008

United States of America )

v. )

CURTIS BROWN )

MARY E. D'ANDREA, CLERK

Per Deputy Clerk

Date of Previous Judgment: November 17, 2003 )

(Use Date of Last Amended Judgment if Applicable) )

Case No: 1:CR-01-315-01

USM No: 10907-067

Jeffrey Weiner, Esquire

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33

Amended Offense Level: \_\_\_\_\_

Criminal History Category: IV

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: 188 to 235 months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

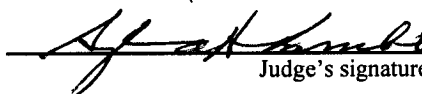
## III. ADDITIONAL COMMENTS

Under the sentencing guidelines effective 11/1/2007, marijuana amounts between 3,000 and 10,000 kilograms results in the same base offense level as originally calculated. A further reduction is not appropriate. (USSG § 1B1.10(a)(2)(B).) Defendant was held responsible for an amount of crack cocaine that did not exceed 500 kilograms (10,000 kilograms of marijuana) – a base offense level of 34.

Except as provided above, all provisions of the judgment dated 11/17/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: April 1, 2008

  
 Judge's signature

Effective Date: \_\_\_\_\_  
 (if different from order date)

Sylvia H. Rambo, United States District Judge  
 Printed name and title